

City Council
Atlanta, Georgia

02-0-1606

AN ORDINANCE
BY: ZONING COMMITTEE

Z-02-63
8-13-02

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended and the maps established in connection therewith be changed so that the following property located at **513 Boulevard, S.E.** be changed from the **R-5 (Two-Family Residential)** District, to the **RG-3 (Residential General-Sector 3)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **44** of the **14th** District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-4

1415

(H) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(I) "Community Association Dues, Fees and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(J) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(K) "Escrow Items" means those items that are described in Section 3.

(L) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(M) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(N) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(O) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(P) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby grant and convey to Lender and Lender's successors and assigns, with power of sale, the following described property located in the County of FULTON, State of Georgia

[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

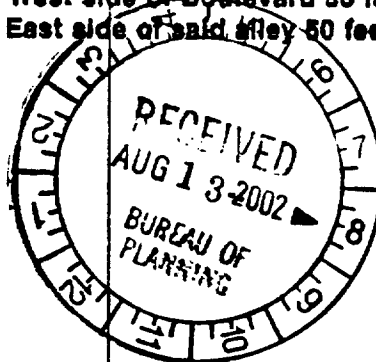
ALL THAT TRACT OR PARCEL of land lying and being in the City of Atlanta, in Land Lot 44 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the West side of Boulevard, 150 feet South from the Southwest corner of Sydney Street and Boulevard; thence South along the West side of Boulevard 50 feet; thence West 190 feet to a 20 foot alley; thence North along the East side of said alley 50 feet; thence East 190 feet to Boulevard, to the point of beginning.

which currently has the address of:

513 BOULEVARD AVENUE
[Street]

ATLANTA, Georgia 30312 ("Property Address");
[City] [Zip Code]



2-02-63

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SURVEY NOTES

STORM DRAINED SANITARY SEWERS AND OTHER BURIED UTILITIES. LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN BY RECORD DRAWINGS PROVIDED TO THE SURVEYOR FOR LOCATIONS OF ANY FROM LOCATIONS SHOWN HERE. ADDITIONAL WERE UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE BEFORE LOCATING ANY OF THE UTILITIES. PROTECTION, INTERFERENCE, ADDITIONAL INFORMATION.

THROUGHOUT GEORGE : 450 202 7411.

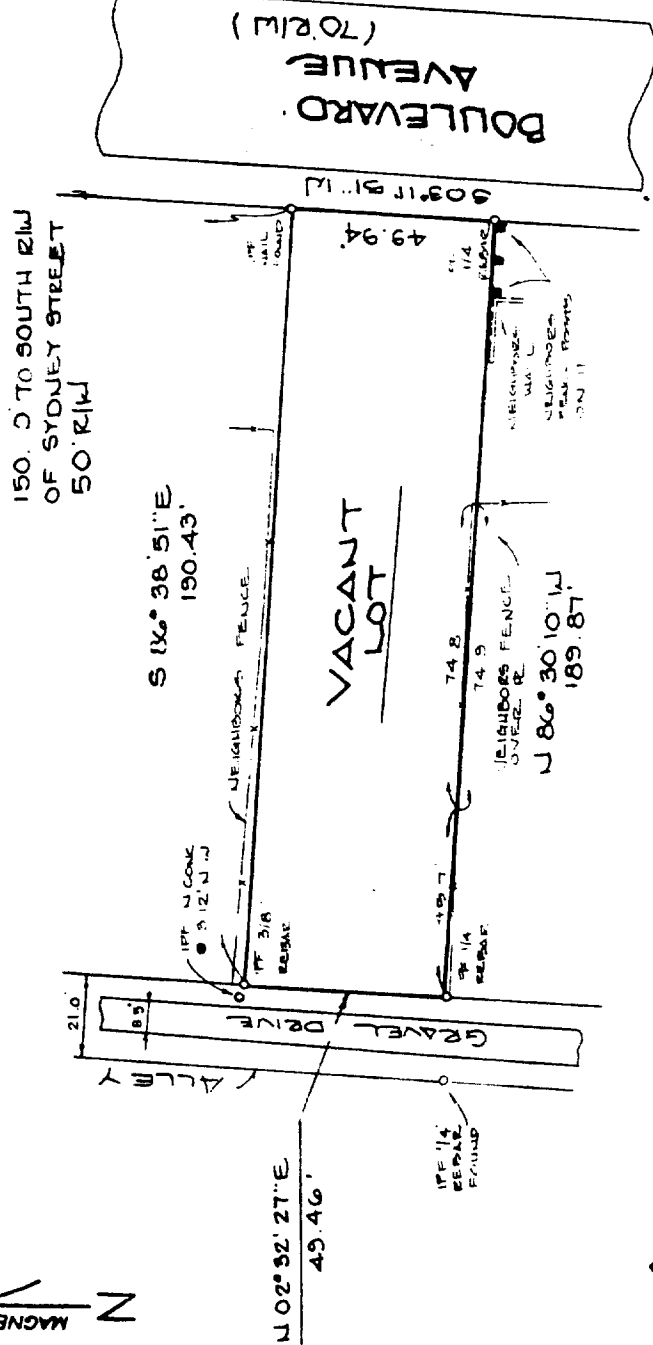
2 SURVIVOR WAS MADE NO INVESTIGATION OR
INDEPENDENT SEARCH FOR ASSESSMENTS OF RECORD,
ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP
TITLE EVIDENCE, OR ANY OTHER FACTS THAT A
CURRENT TITLE SEARCH MAY DISCLOSE

3. DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR FUTURE UNIT OWNERS

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET, AND AN ANGULAR ERROR OF ONE PER CENT POINT, AND WAS ADJUSTED USING COMPARISONS. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE, AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.

LEGEND

1. *Phragmites australis* (Cav.) Trin. ex Steud.
 2. *Scirpus americanus* L.
 3. *Spartina patens* (Muhl.) B. & P.
 4. *Spartina patens* (Muhl.) B. & P.
 5. *Spartina patens* (Muhl.) B. & P.
 6. *Spartina patens* (Muhl.) B. & P.
 7. *Spartina patens* (Muhl.) B. & P.
 8. *Spartina patens* (Muhl.) B. & P.
 9. *Spartina patens* (Muhl.) B. & P.
 10. *Spartina patens* (Muhl.) B. & P.



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513 BOULEVARD AVENUE
ATLANTA, GA.

SURVEYING SERVICES, INC.

4136 West Atlantic Road
Smyrna, Georgia 30080
(770) 414-7783

if

ALVIN MORRIS; ASSOC.

LAND 1 4th
DISTRICT 14th
COUNTY FULTON
GEORGIA SECTION

DATE: 7-9-02 SCALE: 1" = 30'

JOB# 212538

0.217 ACRES

A vertical color calibration bar featuring a grayscale ramp from black to white, with several color patches (yellow, cyan, magenta, red, blue, green) interspersed for color balance and exposure control.

Prices should not be placed
on the basis of cost of production.

Michael R. Noles, Surveyor
Meander, SAMSON